

**Disaster Recovery Initiative  
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**Louisiana Office of Community Development,  
Division of Administration**

**Louisiana Recovery Authority**

**The Road Home Housing Programs  
Action Plan Amendment for Disaster Recovery Funds**



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# 1. Introduction

Hurricane Katrina hit the State of Louisiana on August 29, 2005, and Rita slammed into the state on September 24, 2005. They were the second and third Category 5 hurricanes of the 2005 hurricane season. The storms were deadly and costly to communities throughout the Gulf and particularly destructive to Louisiana. More than 1,100 persons lost their lives in Louisiana; approximately 18,000 businesses were destroyed; roads, schools, public facilities, medical services were washed away; and thousands of people were forced to relocate.

In the wake of the storms an unprecedented number of homes were destroyed or severely damaged.

- 122,000 homes were destroyed or suffered major damage.
- 84,000 rental properties were destroyed or suffered major damaged.
- Housing repair costs are estimated at \$32 billion. Some, but not all, of this was insured.
- Of the rental and owner occupied units that are now uninhabitable, a substantial portion were occupied by low income households.

HR 2863 provided \$11.5 billion to the states of Mississippi, Louisiana, Alabama, Florida and Texas through the U.S. Department of Housing and Urban Development's Community Development Block Grant (CDBG) Program. Louisiana received \$6.2 billion of those funds. President Bush has asked Congress for an additional \$4.2 billion in CDBG for Louisiana, which is pending appropriation, to fund the housing programs described in this Action Plan amendment.

As the target of investment of this supplemental CDBG assistance, Governor Kathleen Babineaux Blanco has prioritized housing redevelopment, infrastructure rehabilitation, and economic development. The CDBG funds are available to the State subject to HUD approval of action plans which describe how the funds will be used. The Louisiana Recovery Authority (LRA) has been charged by the Governor and Louisiana Legislature with statutory responsibility for developing policy and action plans for the CDBG funds. The Louisiana Office of Community Development, the agency that runs the State's annual CDBG Program, will administer the supplemental CDBG recovery program.

To promote sound short- and long-term recovery planning at the state and local levels that impact land use decisions that reflect the need for responsible flood plain management and growth, the State, through the LRA, is leading community planning efforts in its most affected parishes. Dubbed "Louisiana Speaks", this effort is a multifaceted planning process to develop a sustainable, long-term vision for South Louisiana in the wake of the destruction caused by Hurricanes Katrina and Rita. The plans developed locally through Louisiana Speaks will be supported by CDBG allocations. The redevelopment of the housing stock funded partially by CDBG as described herein will follow the plans derived through Louisiana Speaks and other local efforts.

This Action Plan amendment describes *The Road Home* Housing Programs, consisting of four sets of programs for the restoration of Louisiana's housing stock and its communities: Homeowner Assistance Program, Workforce and Affordable Rental Housing Programs, Homeless Housing Programs, and Developer Incentives. Future Action Plan amendments will describe other aspects of the State's CDBG recovery program.

## **1.1 Goals of *The Road Home* Housing Programs**

*The Road Home* Housing Programs have several goals. They will:

- Repair and rebuild quality housing in neighborhoods that are safe to live in;
- Restore pre-storm value to homeowners who want to return;
- Provide affordable rental housing opportunities for displaced residents; and
- Provide housing for the return of critical workforce.

*The Road Home* Housing Programs will achieve their goals by ensuring, among other things, that:

- Neighborhoods are rebuilt pursuant to locally driven plans that emphasize safety and reduce risks in rebuilding;
- Homes are rebuilt in ways that ensure safer and smarter construction and meet the State's codes and the latest available FEMA advisory base flood elevations<sup>1</sup>;
- Neighborhoods are rebuilt in a manner that promotes mixed income communities; and
- Households with special needs such as the elderly and those with disabilities are provided housing opportunities;

## **1.2 Basis for Recommendations**

*The Road Home* Housing Programs are based on the best available information on housing needs, housing costs, potential public funding and the ability of the programs to leverage private resources. Funding for *The Road Home* Housing Programs come from the supplemental appropriation of Community Development Block Grant Program funds and Stafford Act Hazard Mitigation Grant Program Funds.

This Action Plan amendment describes funding for *The Road Home* programs in two phases: partially funded and fully funded.

The need for assistance among homeowners far exceeds the initial allotment of CDBG funds made in HR 2863. To meet that need and fully fund *The Road Home*, Louisiana has worked with the Bush Administration to request from Congress an additional \$4.2 billion in CDBG resources. In this Action Plan amendment, the program allocations

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<sup>1</sup> FEMA Advisory Based Flood Elevations are the first step in developing new required flood elevations for the National Flood Insurance Program. Wherever this document refers to advisory base flood elevations, we mean the most up-to-date flood elevations regulations or guidance from FEMA and the National Flood Insurance Program.

entitled “fully funded” amount to proposed levels of funding in anticipation of the appropriation of an additional \$4.2 billion for housing needs.

Partial funding levels are based on CDBG funds currently available to Louisiana. The plan specifically details the allocation of \$4.6 billion of the initial \$6.2 billion of supplemental CDBG funds to *The Road Home*.

Subject to further refinement of the program guidelines and structure of operations, following are preliminary estimates of housing program costs:

### ***The Road Home Program Budgets<sup>2</sup>***

	<b>Partially Funded</b>	<b>Fully Funded</b>
Assistance to owner-occupants	\$3,551,600,000	\$6,347,400,000
Homeless supports and housing	\$25,900,000	\$25,900,000
Workforce and affordable rental housing	\$892,700,000	\$1,535,700,000
Developer incentives and code enforcement	\$32,100,000	\$32,100,000
State administrative costs	\$79,700,000	\$120,900,000
Housing costs in Action Plan #1	\$18,000,000	\$18,000,000
<b>TOTAL</b>	<b>\$4,600,000,000</b>	<b>\$8,080,000,000</b>

*The Road Home* will be fully funded with a total of \$8.08 billion of CDBG funds based upon damage and demand estimates grounded in the most current FEMA and HUD damage data. Louisiana's damages exceed that of other states impacted by the hurricanes of 2005 by three to four times, in nearly every category of damages. Working with the Federal Coordinator of the Office of Gulf Coast Rebuilding, the LRA has demonstrated that the cost of recovery based on the damages to owner-occupied properties, rental properties, and other critical infrastructure such as hospitals, schools, un-funded state and local infrastructure repairs, and sewer and water infrastructure will require no less than \$12.1 billion. The current supplemental CDBG funding of \$6.21 billion, combined with anticipated Hazard Mitigation Grant Program funds available through the Stafford Act, fall short of this total need by \$4.2 billion. Without this additional CDBG funding, the State of Louisiana cannot fully fund its housing program for homeowners and renters, to meet the scale of the challenge. President Bush's commitment to this funding was made in recognition of this need.

The CDBG funds directed to workforce and affordable rental housing will supplement an estimated \$1.7 billion in private equity investments derived from Low Income Housing Tax Credits allotted to Louisiana through the federal Gulf Opportunity Zone legislation. In addition, the State will supplement assistance to owner-occupants with an estimated \$1.17 billion in housing-related Hazard Mitigation Grant Program funds.

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<sup>2</sup> Budgets are exclusive of FEMA Hazard Mitigation Grant Program funds that may be spent on housing.

The damage from Hurricanes Katrina and Rita disproportionately impacted families with low to moderate incomes. HUD therefore requires that at least fifty percent of the supplemental CDBG dollars allocated to Louisiana for recovery be invested in programs that directly support those families. Accordingly, in both the partially and fully funded housing programs described herein, the great majority of funds will go to low- and moderate-income families.

If federal agencies require changes to the State's proposed Action Plan amendment or program costs exceed projections and available funding, Louisiana will be required to modify this proposed Action Plan amendment.

### **1.3 Solicitation of Public Comment**

Copies of the proposed plan will be available for distribution and may be requested in writing or by telephone (225-342-7412) from the OCD/DOA. This Action Plan Amendment will also be available on the Internet at [www.LouisianaRebuilds.info](http://www.LouisianaRebuilds.info). Written comments on the proposed Action Plan Amendment may be submitted to OCD, and must be received no later than 10 days from today's date. The Action Plan Amendment will be available in Vietnamese and Spanish translations at the same web site, and comments on the translations may be submitted within 10 days of the date the translations are posted online. Comments may be mailed to the OCD, Post Office Box 94095, Baton Rouge, LA 70804-9095 or sent via facsimile to 225-342-1947. Comments may also be submitted online through the [www.LouisianaRebuilds.info](http://www.LouisianaRebuilds.info) web site.

Comments can be submitted in two ways:

- On the internet by completing the form available through <http://www.LouisianaRebuilds.info>
- Preparing written comments using the form in **Appendix 1** and mailing the comments to:

Action Plan Comments  
Office of Community Development  
PO Box 94095  
Baton Rouge, LA 70804-9095  
FAX: 225-342-1947

To provide ample opportunity for public comment, community meetings are tentatively scheduled for April 11 and 12. Time and location confirmation for the hearings will be made available through [www.LouisianaRebuilds.info](http://www.LouisianaRebuilds.info).

Comments will be accepted until 5:00 PM Central Time on April 17, 2006. Comments will be considered and a final proposed Action Plan amendment will then be submitted to HUD for review and approval.

## 2. Assistance to Homeowners<sup>3</sup>

### 2.1 Overview of the Homeowner Assistance Program

In the aftermath of Hurricanes Katrina and Rita, an estimated 122,000 owner-occupied homes were destroyed or suffered major damage, according to FEMA. In response to this unprecedented disaster, Louisiana will use \$3,551,600,000 of current supplemental CDBG funds and approximately \$1.17 billion of Hazard Mitigation funds to help selected owner-occupants repair or rebuild their homes, buy or build replacement homes, or sell unwanted properties so they can be redeveloped or converted to open space. In order to avoid future flood losses, all reconstruction work will meet or exceed the latest available FEMA advisory base flood elevations and meet the legal requirements under the State Uniform Construction Code.

Note that the State will require an additional \$4.2 billion of CDBG in order to aid **all** of the Louisiana homeowners who suffered major or severe damage. The budget for owner-occupant assistance following that additional appropriation is anticipated to be \$6,347,400,000 in CDBG funds, with additional funds from the State's Hazard Mitigation Grant Program

The overarching purpose of *The Road Home* is to rebuild Louisiana's impacted communities. Devastated communities will be blighted by abandoned homes, clouded land titles, and disinvestments if a large portion of the financial assistance is not directly invested in rebuilding homes or buying replacement homes in the affected areas. Therefore, the most comprehensive financial and technical assistance packages will be made available to those pre-Katrina and Rita homeowners who make the effort and take the risks to move back to play a part in rebuilding Louisiana.

Financial incentives and advisory services will be available for homeowners who wish to:

- Repair – incentives to promote rehabilitation
- Rebuild – financial incentives to reconstruct on the same site if repair is infeasible or not economically viable;
- Buyout/Relocate – purchase of the home by the program in exchange for an agreement to resettle in Louisiana; or
- Sell – voluntary sale of the home with no requirements to resettle or otherwise remain in the community.

It is the State's intention that property acquired through the housing program should be put back into the stream of commerce where it is safe to do so. Further, development plans for acquired land should be directed at the community or local level, such as by a local land management/development entity or unit of local government. The LRA will

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<sup>3</sup> For the purpose of this Action Plan amendment homeowner and owner occupant are used interchangeably.

consider requests and approve plans for entities applying for land management authority.

## 2.2 Eligibility for Homeowner Assistance

To be eligible for the Homeowner Assistance Program:

- The owner must be able to prove that he or she owned and occupied the property as a primary residence at the time of the Katrina/Rita disasters, prior to August 29, 2005;
- The home must in be a single-unit structure<sup>4</sup>; and
- The owner must have registered for FEMA Individual Assistance and the home must be categorized by FEMA as having been “destroyed” or having suffered “major” damage. Homeowners who were approved by FEMA for \$5,200 or more in FEMA home repair assistance (a component of the Individual Assistance Program) will fall into one of these categories.

Because Congress has not fully funded *The Road Home* to meet the need of all homeowners, this Action Plan amendment must limit assistance to homeowners within the following categories, provided that program costs do not exceed projections:

- Owners whose homes lay outside the FEMA flood plain and were flooded, and
- Owners with incomes at or below 70% of area median income (AMI), adjusted for household size, with any type of damage.

Applicants must meet all of the above requirements to receive compensation. Homeowners that believe they have suffered major or severe damage, but have not qualified for FEMA assistance will be able to appeal their eligibility for *The Road Home*. Homeowners who believe they will be eligible for the program are currently encouraged to register with *The Road Home* registry at [www.LouisianaRebuilds.info](http://www.LouisianaRebuilds.info) or by calling 1-888-ROAD-2-LA.

Upon receipt of additional appropriated funds, depending on the amount of funding, the Action Plan will be amended to include homeowners of all incomes.

During the process of reviewing applications to *The Road Home*, the LRA shall make available information about the repair, rebuilding and relocation preferences of applicants in order to inform local planning processes. In areas where a high proportion of homeowners are choosing not to invest, state or local authorities may limit access only to Buyout/Relocate and Sell programs.

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<sup>4</sup> Properties that housed an owner-occupant and renters are currently eligible for either the Homeowner Assistance Program OR the small rental property assistance program, but not both. Requirements for assistance and assistance limits prescribed herein for each program will apply to such mixed occupancy properties equally.



## 2.3 Requirements for Receiving Homeowner Assistance

To accomplish the State's goal to resurrect damaged communities, the LRA proposes to encourage homeowners' investment of federal recovery funds in Louisiana. To that end, homeowners that make the decision to reinvest in Louisiana will be eligible for the most generous levels of assistance. They will be required to demonstrate that commitment to the State by signing a legally binding covenant described below.

In exchange for financial incentives, homeowners must:

- Be willing to sign a release so that information given to FEMA can be verified by the Program;
- Independently from FEMA, agree to verification of their ownership status and the amount of disaster-related damage to the home;
- Swear to the accuracy and completeness of all information provided to the Program under penalty of law;
- Agree in legally binding documents to follow through on certain actions related to a home in exchange for compensation:
  - Ensure that the home they occupy meets the legal requirements under the State Uniform Construction Code,<sup>5</sup> complies with local zoning, and complies with FEMA guidance for base flood elevations;<sup>6</sup>
  - Assure the home will remain owner-occupied for at least three years after the completion of repairs/replacement or new home purchase;
  - Maintain residential hazard insurance;
  - Maintain flood insurance if the home was previously flooded or is located in a flood zone;
  - Agree to subrogate claims for unpaid and outstanding insurance claims back to the Program;
  - If relocating, move to another home in Louisiana; and
  - If selling the property to the State and the home has no historic value or is not salvageable, convey the property as a cleared site, agree in writing to allow the Army Corps of Engineers or another governmental entity to clear the property, or provide funds from the sale proceeds for demolition and clearance by the acquiring entity.

The above terms and conditions apply to the home that is repaired, rebuilt or purchased using program funds. Homeowners that fail to meet all of these terms and conditions will forfeit the property that is repaired, rebuilt or purchased using program funds and/or be required to repay the financial assistance provided through this program.

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<sup>5</sup> A number of communities have not yet adopted or implemented the State Uniform Construction Code. Pursuant to the State's commitment to rebuild safer and stronger communities, homeowner assistance provided by *The Road Home* will be contingent upon local enforcement of and individual compliance with all legal requirements under the code.

<sup>6</sup> Federal and state law may require homes in historic districts to meet additional standards.

## 2.4 Amounts and Forms of Homeowner Assistance

### 2.4.1 Maximum Assistance

The maximum financial assistance from all program resources for owner occupants is up to \$150,000. The proposed ceiling assumes that:

- All federal funds currently allocated to and sought for the program will be available; and
- Estimates of likely demand for assistance derived from HUD and FEMA data are accurate.

The partial funding levels for programs contained herein are based on the current supplemental CDBG appropriation. If sufficient funds are ultimately unavailable or demand exceeds estimates, the maximum amount of financial assistance per household may be lowered.

It is the intent of the program to provide a homeowner the resources to get into a home, based upon the homeowner's financial means, needs, and the pre-storm value of the damaged home. Not every homeowner is necessarily entitled to the maximum amount of financial assistance, however, and in many cases *The Road Home* will not provide 100% of the required resources for repair, rebuilding or resettlement. This is true for many reasons, such as the fact that assistance is capped, and that assistance will be reduced by any insurance payments for damage to the structure of the home, by any FEMA assistance for home repairs or replacement, and by other compensation for the loss.

### 2.4.2 Financial Incentives to Repair/Rebuild

The program will provide financial incentives for homeowners that repair or rebuild their homes on the same site. Homeowners will receive varying amounts of assistance depending on the condition of their home and the compensation received from other sources.

Homeowners remaining in Louisiana will be eligible for assistance in three tiers: an incentive grant to cover losses to the home and restore pre-storm value; a hazard mitigation grant, whenever the home can be repaired or rebuilt with cost-effective mitigation measures; and an affordable incentive loan, structured within the homeowner's financial means, for any gap between the damaged home's pre-storm value and allowed repair/rebuilding costs. Insurance, FEMA, and any other grant payments received by the homeowner for structural repairs will be deducted from the amount of assistance for which the homeowner is eligible.

An explanation of the calculation of financial assistance follows below. **Appendix 2** provides two examples of how hypothetical households might be assisted to repair or rebuild their home.

Homeowners will first calculate their personal *Eligible Assistance Amount* using the following formula.

<p>Eligible Assistance Amount to Repair/Rebuild equals Lesser of:</p> <ul style="list-style-type: none"><li>• Pre-storm value of the home (<i>times</i>) Percent damage to the home (<i>plus</i>) Eligible Mitigation costs (<i>plus</i>) Gap to meet allowed repair/rebuilding costs <i>(minus)</i> Insurance <i>(minus)</i> FEMA Repair Payment <i>(minus)</i> any Other financial assistance for repair</li></ul> <p>OR</p> <ul style="list-style-type: none"><li>• \$150,000</li></ul>
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Eligible assistance does not represent an entitlement to the homeowner, under any circumstances.

The Eligible Assistance Amount will generally be paid in three tiers.

- The first tier will be an Incentive Grant that is intended to restore the pre-storm value of the property. The Incentive Grant will be made under the conditions attached to the legal instrument described in Section 2.3. The amount is calculated as follows:

**Incentive Grant** = Lesser of

Eligible Assistance Amount

OR

Pre-Storm Value x Loss Percentage (*minus*) Insurance, FEMA Repair Payments and  
Other Financial Assistance for Repair

The State will enlist damage inspectors to determine the appropriate level of repair or replacement costs. It is the State's policy that participants in the Homeowner Assistance Program deserve a fair and independent estimate of projection of damages from the storm, regardless of cause of damage. The program also reserves the right to use damage estimates catalogued by FEMA and insurance companies where those estimates are deemed reliable.

For homeowners who were uninsured (for example, those who were living in a flood plain but did not have flood insurance), the Incentive Grant will be reduced by 30%.

- The second tier will consist of mitigation assistance, with funding from either the Hazard Mitigation Grant Program, provided through the federal Stafford Act, or

CDBG. These funds will complement CDBG assistance for homes that are in flood plains or otherwise eligible for FEMA-funded hazard mitigation assistance. The amount of the hazard mitigation grant will be calculated as follows:

**Mitigation Grant** = Eligible Mitigation Costs

OR

Eligible Assistance Amount – Incentive Grant

- The third tier, if additional funds are required to help the homeowner get into a home and within the eligible assistance amount, will be an Incentive Loan. When conventional financing options exceed homeowners' financial means, the Incentive Loan is designed to provide an affordable way for homeowners to return to a home when the Incentive and Mitigation Grants do not meet repair or replacement costs. For those cases where it is necessary to do so, the Incentive Loan will be calculated as follows:

**Incentive Loan** = Eligible Assistance Amount (*minus*) Incentive, Mitigation Grants

The State may also offer additional incentives for homeowners who choose to repair or rebuild within the same parish.

For instances in which the sum of remaining pre-storm loans and the Incentive Loan exceed the market value of the home, the program will develop policies to mitigate the impacts of “negative equity” positions on the home and homeowner by adjusting the repayment terms.

#### 2.4.3 Buyout/Relocate

Homeowners choosing to move elsewhere in Louisiana will be able to sell their homes to the State and receive assistance under the guidelines described for homeowners that rebuild on the same site. Owners choosing this option must meet the same eligibility requirements and agree to the same legally binding actions applicable to those choosing to repair or rebuild. Those requirements are described in Sections 2.2 and 2.3 of this Action Plan amendment.

Homeowners who help to shoulder the burden of community recovery by choosing to rebuild within their parish will always be the highest priority of the program. The State may also offer additional incentives for homeowners who choose a buyout but relocate within the same parish.

#### 2.4.4 Sale

Some owner-occupants may choose none of the basic options: to repair, rebuild or relocate in Louisiana. In these instances, the State will compensate the homeowner for 60% of the home's pre-storm value, less insurance and FEMA repair funds. Sale compensation will not exceed repair or rebuilding costs for the home. For these buyouts to occur, a lien holder may be asked to write off a portion of the current outstanding principal balances of the loan or other lien.

Compensation for Selling Home With No Other Obligations equals Lesser Of: 60% of Pre-storm value ( <i>minus</i> ) insurance ( <i>minus</i> ) FEMA repair payments ( <i>minus</i> ) Other repair assistance  OR Incentive Grant for which they would otherwise be eligible
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### **2.5 Treatment of Homeowners with Special Circumstances**

Assignability: Subsequent to the launch of *The Road Home*, the State will allow an owner to sell his or her home on the open market and to assign rights to program assistance to the new buyer. Assigned grants will require the new buyer to carry the same three-year owner-occupancy requirement and other legally binding terms and conditions that govern the repair and rebuild options. The new owner to whom assistance benefits have been assigned will be eligible only for the repair/rebuild option.

Owner Occupants Who Have Already Sold Their Principal Residence: Some homeowners may have chosen to sell their homes prior to launch of the Homeowner Assistance Program. Equitable policies and procedures may be determined at a later date that could provide Program assistance to an owner who has sold a home and otherwise would have qualified for assistance. These policies and procedures are not yet determined.

Owners Who Have Started or Completed Repairs: Assistance will be provided to owners who have already commenced or completed home repairs or the construction of replacement homes, so long as all the requirements of the Program are met. Policies will be set for discounting assistance amounts for any grants or below-market interest rate loans from government agencies that may have been received by an owner from for these purposes.

Owners Who Have Received Other Assistance: Policies will be set for discounting compensation amounts for any grants or below-market interest rate loans from government agencies that may have been received by an owner for these purposes. Pursuant to federal statute, assistance from *The Road Home* must be used to repay any

loans from the Small Business Administration (SBA) that a homeowner has received for the same losses.

Any homeowner may appeal the decision related to eligibility, damage assessments, amount of assistance and grant offsets made by the program.

## **2.6 Accounts for Receipt of Funds**

To help ensure that Program incentive grants, incentive loans, insurance payments and FEMA household assistance payments provided to homeowners are invested in housing, owners will be encouraged and assisted, and may be required, to open deposit accounts in the owner's name. The Program will work with financial institutions to set up standard terms for managing such accounts and payouts from them.

## **2.7 Homeowner Assistance Centers – Process for Receiving Assistance**

Louisiana has initiated a Call Center to allow former homeowners to indicate their interest in returning to their neighborhoods and investing in their homes. The Call Center is the first step in what will be an aggressive campaign to solicit applications for the Homeowner Assistance Programs.

To open lines of contact between displaced Louisiana residents and *The Road Home*, citizens may now register key information about their damaged homes by calling 1-888-ROAD-2-LA (888-762-3252; TTY 1-800-566-4224 ) to submit that data to the State's registry, or logging on to a one-stop web portal - [www.LouisianaRebuilds.info](http://www.LouisianaRebuilds.info). This registry pertains only to homes that were occupied by homeowners and damaged by hurricanes Katrina or Rita.

When the program commences, eligible homeowners will be notified by mail, email and/or telephone to the greatest extent possible of the opportunity to apply for assistance. Information about financing programs and counseling services will be posted on public websites as well as provided through other resources such as Assistance Centers that will be established in various locations.

<p>The Program will not publish application forms or detailed descriptions of the process for receiving assistance until the comment period has ended and the State of Louisiana has determined the amount of federal funds that will be available for all recovery programs.</p>
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In order to rebuild, most homeowners will have to navigate a maze of obstacles such as negotiating insurance settlements, dealing with mortgage issues, understanding the implications of new flood maps, and dealing with building contractors. Before the amount of program financial compensation can be determined, an owner will have make decisions on whether to repair their home, replace it on-site, accept a buyout and relocate in the parish or state, or sell. If an owner has been unable to return to the

community, he or she will likely need help finding temporary housing to live in while managing this process. While some homeowners can overcome these barriers themselves, many homeowners will need expert, trustworthy advisors, in addition to receiving financial assistance.

To respond to these needs, Assistance Centers will be the “storefronts” where homeowners can apply for assistance and gain access to advisory services. Rebuilding Advisors will help homeowners accomplish the following:

- Provide information to help homeowners evaluate the four assistance options—repair, replace, relocate or sell—and the amount of financial assistance allowed for each;
- Provide information to owners on how to deal with mortgage issues, or refinance if necessary;
- Provide information to assist owners in selecting professional services providers such as home inspectors, architects, surveyors (for replacement homes) to design and prepare for repairing or replacing homes; and
- Provide information to assist owners in selecting repair contractors, homebuilders and manufactured housing companies.

The Assistance Centers will help mitigate the potential for misunderstanding and abuse by providing standardized, structured, and guided relationships between homeowners and service providers. In addition, the Assistance Centers will maintain registries of professional service providers and building contractors.

The State of Louisiana will rely on its own staff as well as contracted services to run the Assistance Centers. See Section 5 for more details.

Registrants calling *The Road Home* or logging onto [www.LouisianaRebuilds.info](http://www.LouisianaRebuilds.info) will be asked to provide important information, including the resident's name, current address and the location of the affected home, phone numbers, mortgage information, the status of any insurance settlements and any FEMA or U.S. Small Business Association (SBA) applications or assistance.

### **3. Workforce and Affordable Rental Housing Programs**

Approximately 84,000 rental housing units received major or severe damage in Hurricanes Katrina and Rita. Restoring the capacity of rental housing will be vital to the return of a strong workforce that is inherent to Louisiana’s economic recovery. Rental housing stock is also imperative to support the return of the high proportion of residents

that were renters prior to the storms, particularly in New Orleans, as well as the return of homeowners transitioning into repaired and rebuilt homes over the coming months.

For these reasons, several programs are proposed to support the redevelopment of rental housing in the storm-impacted areas. To support the programs, the State has set aside a total of \$892,700,000 of currently available CDBG funds, and proposed to be increased to \$1,535,700,000 upon the appropriation of the additional CDBG funds pending in Congress.

*The Road Home* Workforce and Affordable Rental Housing Programs have four broad goals:

- To ensure that the workforce needed to accommodate full economic recovery has access to affordable rental housing;
- To provide affordable rental housing to low income households who could not otherwise afford to return to their communities;
- To ensure that affordable rental housing is provided in the context of high-quality, mixed-income communities; and
- To ensure that a portion of affordable rental units will host supportive services for families with special needs or high risks following their extended displacement.

The table below summarizes the budget for all rental programs:

#### **Budgets for Rental Housing Programs**

<b>Rental Program</b>	<b>Partially Funded</b>	<b>Fully Funded</b>
LIHTC/CDBG Piggyback	\$311,690,000	\$552,410,000
Supportive Housing	\$46,750,000	\$72,730,000
Flexible Developer Incentives	\$41,560,000	\$41,560,000
Small Rental Properties	\$492,700,000	\$869,000,000
<b>TOTAL</b>	<b>\$892,700,000</b>	<b>\$1,535,700,000</b>

### **3.1 Low-Income Housing Tax Credit (LIHTC) “Piggyback” Program**

Through legislation creating the Gulf Opportunity Zone (GO Zone), Congress has authorized a special allocation of Low Income Housing Tax Credits (LIHTC) that are expected to generate an estimated \$1.7 billion over three years in private investment in the repair and new construction of affordable rental housing. The combination of LIHTC incentives and CDBG funds that piggyback the tax credits will promote the twin goals of dramatically increasing the supply of rental units affordable to a wide range of low- to moderate-income families **and** expanding rental housing supply as a part of stable mixed-income developments and neighborhoods.

When *The Road Home* is fully funded, the State proposes to combine the resources of the LIHTC incentives, CDBG Piggyback funding, available Section 8 housing vouchers,



and leveraged private investments to generate 25,000 new or restored rental units, of which an estimated 10,000 units will be rented at market rates and 15,000 will have below-market rents.

To support the expansion of mixed income communities, the LRA will work with the Louisiana Housing Finance Agency, which administers the LIHTC Program, to assure that future rounds of LIHTC allocations require that some or all approved projects integrate multiple tiers of affordable rental units with market-rate rental units. The intent of this program is to use the powerful financial incentives of the LIHTC program, CDBG funding and the flexible incentives program described in Section 4.3 to motivate developers to build new mixed-income communities that accommodate families from across the income spectrum.

Though units developed under the LIHTC must by law be affordable to households with incomes as high as 60% of area median income, the extra investment incentives built into the special GO Zone allocation of LIHTC mean that, by State estimates, rents for LIHTC units in Louisiana can be made affordable to families with incomes between 45% and 60% of area median income. The LRA will work with the Louisiana Housing Finance Agency to develop future Qualified Allocation Plans (QAP) for LIHTC to give preference to projects that meet deeper affordability goals than the required 60% of area median income<sup>7</sup>.

Louisiana intends to accommodate families with incomes below 45% AMI, however. In order for the LIHTC program to create a rental supply for such very low-income households, additional subsidies are needed. The State will therefore make available CDBG funds to provide incentives to investors so that, when the program is fully funded by the anticipated appropriation, approximately 6,000 of the estimated 15,000 affordable rental units produced under the LIHTC program can be reserved for—and made affordable to—working families with incomes between 20% and 40% of AMI. It is the strong intention of the State to reserve all CDBG money devoted to very affordable rental units for units that are built as a part of mixed-income developments.

Furthermore, under the current partially funded program, the State proposes that a portion of the estimated 6,000 units targeted to very low-income families be made available to households with special needs such as persons with disabilities, families with disabled family members, and the elderly. The funding for such supportive services is outlined in Section 4.2 of this document.

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<sup>7</sup> Area Median Income is defined annually by the federal Department of Housing and Urban Development for each metropolitan area and non-metropolitan parish in the United States. FY2006 income estimates for Louisiana can be found at [http://www.huduser.org/Datasets/IL/IL06/la\\_fy2006.pdf](http://www.huduser.org/Datasets/IL/IL06/la_fy2006.pdf).

## Project Eligibility and Estimated Budgets<sup>8</sup>

Developers will be eligible for supplemental CDBG funding for approved LIHTC rental projects on which they agree to certain limitations on rents and occupant income for the first twenty years of the project. When *The Road Home* is fully funded, CDBG piggyback funds aimed at increasing the supply of units available to very low income households is estimated in the table below.

<b>Target Household Income</b>	<b>Target Number of Units</b>	<b>Estimated Average CDBG Funding per Unit</b>	<b>Total Estimated CDBG Funding</b>
20% AMI	2,000	\$93,000	\$186,000,000
30% AMI	2,000	\$65,000	\$130,000,000
40% AMI	2,000	\$13,000	\$74,000,000
50% AMI	4,500	\$0	\$0
60% AMI	4,500	\$0	\$0
Above 60% AMI	10,000	\$0	\$0
<b>TOTAL</b>	<b>25,000</b>		<b>\$390 million</b>

Among the CDBG financing mechanisms being considered to make it feasible for developers to provide the estimated 6,000 units that will be available to and rented by very low income tenants are:

- Gap financing to reduce the costs of debt service, so that lower rents (and lower cash flow) can be made feasible; and
- Funding of operating reserves for projects to enable rental property owners to charge lower rents.

Officers of the LRA, Louisiana Office of Community Development, and Louisiana Housing Finance Agency will work together each year to propose affordability targets for specific numbers of housing units, integrate their targets into the annual Qualified Allocation Plan criteria for the LIHTC program, and set aside CDBG funds to be matched to those tax credit goals to meet overall program objectives. These officers will likewise evaluate actual numbers of units delivered annually. In the event of any shortfall versus those targets during a calendar year, those funds and targets will be added to the subsequent year's goals and allocations.

### **3.2 Services Funding for Supportive Housing**

Under the partially funded plan, the State intends to use CDBG funds or other financial resources that can be obtained to fund supportive services for approximately 1,870 supportive housing units, the development of which will be financed by the LIHTC and

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<sup>8</sup> Calculations used to determine the demand for CDBG funds based on assumed rents and income targets are available from the LRA.

CDBG piggyback program described above. Other HUD programs such as the McKinney Vento Act, Project Based Section 8 Vouchers, Section 811, and Section 202 program funds may supplement supportive efforts.

The supportive housing units will serve individuals and families with special needs, most importantly, renter households who are returning to Louisiana after having endured, very often, traumatic relocations from shelter to shelter, to hotels, and to other temporary living arrangements in other cities. Supportive housing units are also needed for returning families and individuals who are disabled, frail elderly, or have other special needs.

Supportive services will be provided in 30% of the 6,000 rental units targeted to households with incomes at or below 40% of area median income. In order to provide that level of services, the State proposes to allocate \$46,750,000<sup>9</sup> of the currently available CDBG funds to help pay for the services. This program component and use of CDBG funds for supportive services is proposed with the recognition that the number of supportive housing units that can be developed in Louisiana over the next few years will be severely limited by the scarcity of public and private funding for the necessary resident services.

When the expected \$4.2 billion in additional CDBG funds are appropriated for *The Road Home*, the budget for supportive housing services will be increased to \$72,730,000 to fund services for nearly 3,000 units.

### **3.3 Flexible Incentives for Mixed-Income Development**

For mixed-income residential developments to occur on a larger scale—even if the affordable housing units are receiving supplemental CDBG funding as described above—the State recognizes that additional incentives may be required in certain instances to successfully promote market-rate housing to be mixed with affordable housing. Therefore, the State proposes to use \$41,560,000 of CDBG funds to supplement mixed-income housing projects. These flexible subsidies will be used primarily in conjunction with the LIHTC incentives, but they will also be available for other projects offering rents or sale prices affordable to families both above and below 80% of AMI.

The primary mechanism for providing these incentives will be recoverable grants provided to reduce the costs of land and infrastructure. Such grants will be offered on a competitive basis. Grants will be made subject to requirements that will be specific to each project, such as minimum requirements for providing a mix of rents or sale prices. Grants will be recovered if all mixed-income requirements set for selected projects are not met. Operating costs of this program will be covered through operating budgets for other housing programs described herein, such as the CDBG/LIHTC Piggyback Program or the Housing Development Loan Fund.

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<sup>9</sup> Assumes 1,870 units with services costing an average of \$5,000 per unit per year over five years.

### **3.4 Small Rental Property Repair Program**

Before the disaster, a large portion of very low income working families resided in single-family homes, “doubles” and small, multi-family buildings with ten or fewer units that were owned and operated by small-scale landlords. A sizeable number of these properties were underinsured or uninsured and no longer available for occupancy. The State proposes to provide gap financing for the repair of 10,000 rental housing units in these properties. The primary purposes of the gap financing are to enable repairs to occur and to limit the amount of debt (and therefore debt service) required for the properties, so that the owners will be able to charge affordable rents.

The program will, on a competitive basis, provide gap financing up to \$25,000 to restore a rental unit renting at market rates, with higher funding amounts up to \$75,000 per unit available to qualified landlords who agree to offer lower rents. Eligible properties will be selected based upon a strong preference for well-designed residential communities and infill housing developments that also include families with incomes higher than the area median.

In exchange for accepting financial incentives, property owners will be required to accept limitations on rents (with inflation clauses) and incomes of renters for a period of 10 years, to assure that the assisted housing is as affordable as possible and is occupied by families with incomes corresponding to several tiers of affordable rents. The amount of CDBG financing available will be provided in three tiers--\$25,000, \$50,000 and \$75,000 per unit—with highest amount per unit being available to property owners who agree to offer the lowest rents. The assistance will be offered as deferred payment loans at 0% interest, due only upon resale of the property or failure to comply with the agreed-upon restrictions on rents and household incomes.

As with the homeowner program, small-scale property owners will have access to expert financial and construction advisors to assist them with refinancing and reconstruction, or if they so desire, to sell their properties to developers using the LIHTC program.

Unlike the homeowner program, funds will be insufficient to provide every small-scale property owner with enough money to repair or replace their rental properties. Prioritization of properties that will be selected for assistance will be based on factors including, but not limited to, the following:

- Property owners demonstrating financial and technical capacity to obtain matching market-rate financing, if necessary, to carry out the repairs, and to provide excellent property management services; and
- Properties that are most cost-effective to repair or replace, and located in areas that have adequate infrastructure and have other redevelopment activities occurring.

- Properties held by small-scale landlords where rental revenue constituted a majority of household income and/or assets so long as these investor-owners meet the threshold requirements for capacity necessary to repair or replace, and then manage their units.

As outlined in the Homeowner Assistance Program guidelines, owner-occupant program assistance and small rental property assistance cannot be combined in the same residential property; the owner must choose to participate in one program or the other. If owner-occupant assistance is chosen, funding will be provided up to \$150,000 for the owner-occupied unit only. If small rental property assistance is chosen and the owner is selected for assistance, assistance to the owner-occupied unit will be limited to \$25,000, as with all units under the program.

The landlord applying for the Small Rental Property Repair Program will be able to receive incentives for each unit in the property in which he or she is an owner-occupant.

A total of \$492,700,000 is budgeted for this program under the partially funded budget, including program operating costs. Upon the additional appropriation of \$4.2 billion by Congress, the budget for this competitive program will increase to \$869,000,000.

The formula for the amount of CDBG funding per rental unit is as follows:

<p><b>Eligible Assistance per Rental Unit = Lesser of:</b></p> <ul style="list-style-type: none"> <li>• Allowable Rebuilding Costs + Mitigation Costs (<i>minus</i>) Insurance (<i>minus</i>) Maximum private financing the property rents will support</li> </ul> <p>OR</p> <ul style="list-style-type: none"> <li>• The Maximum CDBG funding amount described above</li> </ul>
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To the extent that property owners do not request or qualify for the higher amounts of funding per unit, the program will be able to support the repair of more rental units, albeit at higher rents.

### 3.5 Renters' Registry

Because the replacement of rental housing will fall far short of the rental housing lost due to insufficient funds, and many residents displaced by hurricanes Rita and Katrina are far from home and inadequately housed, the State will give priority placement to hurricane displaced residents for all subsidized rental housing units.

A total of \$2 million in CDBG funds has been budgeted to provide the following resources to displaced renters to help facilitate their return home:

- Louisiana has initiated a Call Center and Homeowner Registry to allow former homeowners to indicate their interest in returning to their neighborhoods and

investing in their homes. The Call Center/Registry will add a component for renters to gather information about the current location of displaced renters who wish to return home. Initially, the Call Center/Registry will refer callers to emergency housing assistance resources posted on the web portal at [www.LouisianaRebuilds.info](http://www.LouisianaRebuilds.info). As new or repaired subsidized affordable rental units come on line, renters will be referred to a web data base where affordable rental housing is listed, and where they can access applications for income-assisted housing.

- When the database referral system commences, eligible renters will be notified by mail, telephone, and the [www.LouisianaRebuilds.info](http://www.LouisianaRebuilds.info) web portal to the greatest extent possible of the opportunity to access rental information and apply for assistance. Information about rental programs will be posted on public websites and at Housing Assistance Centers.

## **4. Restoration of Homeless Supports and Housing**

The State is proposing \$25,900,000 of CDBG funds be allocated to address the increased homeless needs of impacted areas by increasing beds, facility capacity, supportive services for the homeless, and by providing prevention assistance to those persons who are at risk of becoming homeless.

In hurricane-impacted areas, many agencies serving the homeless lost facilities, beds and staff:

- More than 1,750 residential beds for the homeless were lost;
- Thirty-six shelter facilities sustained considerable damage; and
- Sixteen non-residential facilities sustained considerable damage.

In hurricane-impacted areas, there are reports that an increased number of persons are living on the streets or in parks, cars, and abandoned or uninhabitable buildings. Additionally, many of these persons were not homeless prior to the storms. These funds will assist in providing a safe and permanent place for these individuals to reside, and to get the needed supportive services to become independent and self-sufficient.

The proposed \$25.9 million that is proposed for storm damaged areas is consistent with the State's goal to immediately restore and expand capacity in hurricane impacted areas, provide permanent supportive housing for the homeless, and to assist those persons at risk of becoming homeless who are low wage workers, physically disabled, victims of domestic violence or medically at risk seniors. Funding projections are based on the support and capacity required prior to and after the devastation in storm impacted areas.

The proposal allows for funding as follows: for acquisition, rehabilitation, and construction of residential shelter capacity; for supportive services targeted to high need

and high risk homeless populations; for assistance to families at risk of becoming homeless; and for administrative functions.

The proposed funding is expected to help create 1,280 new beds in hurricane -impacted areas, bringing the total in those areas to 2,198.

## 5. Other Developer Incentives

The State recognizes that communities that lost the most housing due to the Katrina and Rita disasters will need to have special incentives in place to attract new mixed-income housing development—to restore both the rental and owner-occupied housing stocks. Homeowners who elect to take the relocation option will make it necessary to have a steady and large supply of new homes. Therefore, the following developer incentives are proposed, with a special focus on the New Orleans metropolitan areas and other communities with major losses to their housing stock.

The budget for incentives is provided in the table below:

**Other Development Incentives**

<b>Program</b>	<b>Partially Funded</b>	<b>Fully Funded</b>
Development Loan Fund	\$16,570,000	\$16,570,000
Land Assembly	\$2,070,000	\$2,070,000
Capacity Building Grants	\$2,070,000	\$2,070,000
Building Code Enforcement	\$11,390,000	\$11,390,000
<b>TOTAL</b>	<b>\$32,100,000</b>	<b>\$32,100,000</b>

### 5.1 Housing Development Loan Fund

The Housing Development Loan Fund would provide seed funding for a contractor or state agency to establish one or more loan funds that offer acquisition and predevelopment financing on flexible terms to developers of the most critically needed housing. Providing early, high-risk capital will be a powerful incentive for developers to build mixed-income housing in the communities that lost the most housing. Loans would be made to nonprofit and for-profit developers of new rental and single-family housing that is affordable to families with incomes that are below the area median, with a strong preference for well-designed residential communities and infill housing developments that also include families with incomes higher than the area median.

The Housing Development Loan Fund would be operated by a state agency or an experienced community development loan fund manager. A total of \$16,570,000 in CDBG funds, including fund management costs, will be invested as “top loss” capital in order to leverage an estimated \$30 million in additional lending capital. As two priorities, the loan fund would target developers participating in the rental assistance programs

described in the previous section, as well as developers of mixed-income for-sale housing. As projects close their construction financing, the acquisition/predevelopment loans would be repaid and the lending capital would become available for additional investments. In a three-year period, it is expected that the funds will recycle two to three times.

## **5.2 Land Assembly Operations**

As an additional way to jump-start development in the communities that lost the most housing, the Land Assembly component of the housing program will provide seed money to acquire multiple properties in good locations for replacement housing and “package” them for sale or grant to maximize further affordable housing development—for example, to developers using CDBG-supported LIHTC tax incentives to develop rental housing, to supportive housing developers, to self-help ownership housing developers, etc. This program component will operate only in those jurisdictions where:

- These activities are requested or supported by local governments; and
- Local governments have substantially engaged in the planning work required to target areas that are suitable for the development of replacement housing.

A total of \$2,070,000 of CDBG funds are budgeted for capital to purchase residential properties as well as operating costs. The capital used to purchase properties will be recycled through sales of properties to developers.

As a related activity, properties assembled through buy-out programs, funded through the State’s homeowner assistance program, might be offered at below-market costs to developers of affordable or special needs housing. One of the targets of these sales of State-purchased properties would be to encourage the development of mixed income developments that include renters with incomes below 40% of area median income. If such assembled properties were not purchased and developed by affordable developers in accordance with strict income requirements, they still might carry an inclusionary housing redevelopment requirement that a certain percentage of the units developed on CDBG assembled land would be affordable with less stringent income and pricing requirements, but still ensuring that mixed-income developments occur in redevelopment areas.

## **5.3 Support for Faith-Based and Community-Based Housing Recovery Programs**

The State aims to strengthen community nonprofits and faith institutions already providing housing recovery services through the investment of \$2,070,000 of CDBG funds in their activities. These entities may have opportunities to contract to provide some services in Housing Assistance Centers. They will be eligible to apply for grants to build capacity in providing supportive housing services. They will be eligible to apply for matching grants to supplement charitable fundraising they have done for housing recovery assisting low and moderate income homeowners in repairing or replacing their



homes, as well as for seed money to develop repair and replacement housing for low and moderate income households.

These organizations will be encouraged to help expand the supply of supportive housing, affordable rental housing and affordable homes for sale by participating, as qualified, in program such as the LIHTC program, the CDBG piggyback program, the small rental program (if a nonprofit wishes to buy, repair and operate affordable rental properties), the flexible incentives program, and the Housing Development Loan Fund.

#### **5.4 Funding of Building Code Enforcement by Local Governments**

Without special assistance being provided to local governments, it is expected that a major impediment to housing development will be the lack of building, electrical and plumbing inspectors and permit processing staff. In addition, architects and builders will need inspectors and plan reviewers to help communities adapt to the new State Uniform Construction Code and to interpret the latest available advisory base flood elevations. Therefore, the State has budgeted \$11,390,000 for hiring such staff for local government over a number of years, based on the numbers of damaged/destroyed units in each parish. It is expected that this amount will fund at least 40 field inspectors and plan reviewers, as well as a limited number of support staff. The State will also support the expansion of code enforcement capacity by sponsoring additional training opportunities for inspectors, engineers and architects. While building code enforcement by local authorities will be supported by permitting and inspection fees in the long run, this initial CDBG funding is necessary to immediately expand enforcement capacity to expedite the construction of safer and stronger homes where the storm impact was most concentrated and building activity will be fervent in coming months.

## **6. Administration**

With this amendment, the State is requesting a total of \$148.68 million under current, partial funding levels, which includes the \$8,810,400 requested in the first action plan and \$189.880 when the program is fully funded.

## **7. Planning**

With this amendment, the State is requesting \$9.5 million of which \$0 was requested in the first action plan.

## **8. Technical Assistance**

With this amendment, the State is requesting \$12.420 million, of which \$500,000 was requested in the first action plan.

## **9. Other Requirements**

### **9.1 Program Income**

Because the allocation of federal resources will not meet the entire need for housing replacement in Louisiana, and because the costs of replacement housing are escalating in the storm-impacted areas, the State will recycle all income from sales of properties and collections of lien payments derived through actions of these CDBG housing programs. From a regulatory standpoint, recycled CDBG funds can be used for any eligible CDBG activity as described in the State's Annual Plans. The revenue generated by the program can effectively be used to achieve focused long-term housing goals by dedicating and restricting the use of recycled housing funds for future affordable housing programs. This could, in effect, create a revenue stream for the Louisiana Permanent Housing Trust Fund, which could be administered by a public or quasi-public agency at the state or local government levels. The policies shaping the housing reuse of revenues will be made at a later date, as detailed operational plans are being developed, but will continue to prioritize displaced residents and deeply affordable rental housing, and will help to sustain affordability as terms expire in many of the properties supported through the programs articulated herein in 10 to 15 years.

### **9.2 Promotion of Short- and Long-Term Recovery Planning**

To promote sound short- and long-term recovery planning at the state and local levels that impact land use decisions that reflect the need for responsible flood plain management and growth, the State, through the Louisiana Recovery Authority, is leading community planning efforts in its most affected parishes. Dubbed "Louisiana Speaks", this effort is a multifaceted planning process to develop a sustainable, long-term vision for South Louisiana in the wake of the destruction caused by Hurricanes Katrina and Rita. The community planning process accomplishes the following:

- Supports a deliberate and democratic process that relies on active participation;
- Empowers local communities to develop plans that meet individual needs;
- Establishes priorities at the local level to guide decisions;
- Supports communities with the best national planning experts working in partnership with local architects, planners, and engineers; and
- Provides a user-friendly interface to enable development of individual plans.

The goal of the long-term community planning process is to develop a comprehensive plan that integrates both parish plans (coordinated with the support of FEMA technical assistance) and regional recovery plans. The LRA collaborated with planners from FEMA to develop a parish level planning process to address numerous recovery issues pertinent to the long-term recovery of severely damaged parishes. A total of 26 parishes throughout Louisiana were identified to participate in this planning process, which runs from November 2005 through April 2006. Louisiana Recovery Planning Day was an important part of the parish level planning process. On January 21, 2006, which

was proclaimed Louisiana Recovery Planning Day by Governor Kathleen Babineaux Blanco, the Louisiana Recovery Authority (LRA) and FEMA's Long-Term Community Recovery (LT CR) team hosted a series of open houses to provide Louisianans with an opportunity to express their needs and to help define a community-based vision for Louisiana's recovery.

The parish level planning process will result in the development of initial parish recovery plans, which will be used to set funding priorities for the recovery effort. The final plans will include a community baseline, a needs assessment, a recovery strategy including principles, vision, goals, a set of high value recovery projects and a strategic recovery timeline. The final section will describe opportunities for the integration of the local plan with regional and statewide plans. The section will also include an inventory of local resources, government structures and describe the level of technical expertise needed to implement the plan. Emphasis in the planning process is on developing plans that are based on sound land use practices and plans that remain cognizant of the hazards of rebuilding in areas made more risky by new flood guidelines.

For a more detailed description of Louisiana's long term and short term recovery planning efforts, please visit:

[http://www.lra.louisiana.gov/assets/FINAL\\_QP2006\\_FEB%2006.pdf](http://www.lra.louisiana.gov/assets/FINAL_QP2006_FEB%2006.pdf)

### **9.3 High Quality Construction Methods**

In a special legislative session in November 2005, Louisiana enacted its first statewide building code. The State Uniform Construction Code sets a minimum statewide standard to ensure the homes and businesses are rebuilt to withstand the next hurricane. Most coastal communities have begun to enforce the State Uniform Construction Code; the entire state must do so on January 1, 2007. Regardless of the location, however, it remains the State's commitment to rebuild safer and stronger communities, so all homeowner assistance provided by *The Road Home* will be contingent upon enforcement of the code on homes built with program funds.

### **9.4 Monitoring**

The OCD/DOA and the LRA will hire additional employees to carry out the administrative functions associated with the implementation and monitoring of the housing programs. The OCD has the staff expertise to train additional employees on the federal and state regulations governing the CDBG program. In addition, the State has contracted with ICF Consulting to provide additional training to staff, contractors, counselors, etc. The LRA has a mandate from the Governor and Louisiana Legislature to assure the coordinated use of resources toward the recovery and to support the most efficient and effective use of such resources. The OCD and the LRA will work together to achieve this goal.

The State has a monitoring plan for the regular CDBG program and will develop a monitoring guide for staff and contractors for each housing program. The plan will be revised somewhat to accommodate the waivers given to the State and other provisions cited in the legislation. The State has contracted with ICF to assist in the development of a monitoring plan for all housing related programs. Particular attention will be paid to ensuring that the use of funds are disaster related and that funding allocated will not duplicate other benefits. The State will ensure through its design of programs, application process, monitoring of recipients, and oversight by the LRA Board's Audit Committee, that recipients are not receiving duplication of benefits and that funds are not used for projects or activities that are reimbursable by or for which funds have been made available by FEMA or by the Army Corps of Engineers and are abiding by state and federal regulations. The State, drawing upon the resources of the LRA and under its guidance, will coordinate with FEMA, the Army Corps of Engineers, insurance companies, and other entities during the application process to ensure there is no duplication of benefits. Recipients will be asked to sign a waiver of their privacy rights so that the State can obtain the appropriate information from FEMA and all other federal agencies.

The State is in the process of developing a Request for Proposal to provide program management services for the homeowner and rental programs detailed in this Action Plan amendment. The proposal will seek the best available management firm to assist in the implementation of these programs. The State will have staff assigned to monitor the services being provided under the contract.

## **9.5 Mitigation of Fraud, Waste and Mismanagement**

The State has a number of processes and procedures in place to avoid fraud, abuse and mismanagement. The Legislative Auditor serves as the watchdog of public spending, overseeing more than 3,500 audits of state and local governments and their related quasi-public enterprises. Conducting independent financial and performance audits of the State's agencies, colleges, and universities, auditors find ways to improve government and identify critical issues to protect public resources and tighten government control systems. When necessary, they follow up on allegations of fraud, waste, or abuse. The Legislative Auditor will perform an annual audit of the DOA in accordance with A-133.

In addition, the State has an established Office of the Inspector General. The office's mission is to help prevent waste, mismanagement, abuse, fraud and corruption in the executive branch of state government without regard to partisan politics, allegiances, status, or influence. The Inspector General is appointed by the Governor.

The LRA Board has established an Audit Committee which, in conjunction with its LRA staff, is charged with ensuring that the work of the recovery is conducted in a manner consistent with the highest ethical standards. Throughout the recovery, the LRA Audit Committee and staff will receive and review reports from all governmental entities working to detect, prevent, and eliminate instances of fraud and abuse. It will serve as

the body to bring together multiple audit and oversight groups to provide an independent review of the audit efforts themselves.

The Office of Finance and Support Services (OFSS), a section of the DOA, has established clear designation of responsibilities in order to ensure separation of duties. This separation of duties, along with other established operational policies and procedures, provides assurance that fraud cannot be accomplished without collusion among employees in separate areas.

The OFSS is responsible for payments, federal draw down requests, and state and federal financial reporting. The OCD is responsible for the day to day administration of the CDBG program. Their staff reviews all requests for payment and accompanying invoices to ensure costs are reasonable and within the scope of the activity funded. Two signatures are required on a request for payment prior to being sent to OFSS for payment. All payment requests are reviewed for proper authorized signatures prior to input into the financial system for payment. One employee actually inputs the properly authorized payment request into the financial system and the request must be approved in the system by the payment unit supervisor. Through financial system security, no one person can both input and approve a payment request.

The payment management unit of OFSS provides information to the appropriation accounting unit so that federal funds can be drawn. The federal draw down request is reviewed and approved by a supervisor prior to the draw down request being processed. All funds are electronically transferred to the State Treasurer's central depository account to be used to liquidate the payables. The financial reporting of the expenditure and revenue activities is prepared by the appropriation accounting unit. All reports are prepared by one employee and reviewed by the appropriate manager prior to release of the report/statement.

In addition, the State will hire an internal auditor who will be placed within the OCD to oversee the internal functions of this office. The auditor will report to the Commissioner of Administration and will make reports to the LRA Audit Committee as requested.

The State follows the State Procurement Code and all other sub recipients are required to follow Title 24 Part 84 and Part 85. The monitoring plan outlines the requirements that must be followed.

Training and technical assistance will be provided to local governments, contractors, and any other entity responsible for administering activities under this grant.

## **9.6 Mitigation of Flood Hazards**

To mitigate flood risk, the LRA approved an allocation of \$250 million in hazard mitigation funding to help parishes prevent damage from future disasters. Following approval of the Legislature, the Louisiana Recovery Authority (LRA) authorized the use of \$150 million to help parishes prevent damage from future disasters by directing the

Governor's Office of Homeland Security and Emergency Preparedness (GOSHEP) to distribute the first hazard mitigation funding available after Hurricanes Katrina and Rita to parish governments.

According to the formula approved by the LRA:

- \$100 million will be dedicated to elevate and acquire severe repetitive loss properties.
- \$136 million for other cost-effective acquisition or elevation projects, or for the retrofit of critical facilities.
- \$14 million for mitigation planning and education.

The LRA has passed resolutions tying benefits and funding for communities and parishes to the adoption of the most up-to-date flood guidance as part of their floodplain management ordinances. The LRA has said it will only provide HMGP and CDBG funding in those parishes that adhere to the State's new building codes and adopt and enforce FEMA's Base Flood Elevation guidance in the construction or reconstruction of all homes, businesses, and other structures in the aftermath of Hurricanes Katrina and Rita

The LRA determined overall priorities for the use of HMGP funds that will serve as a tool for elevating projects for funding

The LRA also directed GOHSEP to prepare an application for HMGP funds for a five-year hazard mitigation outreach and education campaign aimed at educating Louisiana citizens, businesses and units of government about the best use of mitigation dollars

About 1,700 homes, or about one-third of the severely and repetitively damaged homes in America, are in Louisiana. These are structures that have suffered damages of \$1,000 or more on at least four occasions, or have suffered damages of more than 50 percent of their value on two or more occasions.

To access these hazard mitigation funds, parishes will submit proposals to OHSEP. The funds, which are provided under the Stafford Disaster Relief and Emergency Assistance Act, require a 25 percent match from parish governments or state agencies. Distribution of these funds is subject to a formal review process in accordance with the Inspector General, Legislative Auditor, Commissioner of Administration and State Treasurer, as has been done for all funds distributed by GOSHEP since Hurricanes Katrina and Rita.

## **9.7 Encouragement of Energy Efficiency and Sound Environmental Practices**

The State will encourage energy efficiency through implementation of its new state housing codes that include provisions for energy efficient repairs and construction. Further, the State will provide technical assistance to local governments and private and for profit developers to educate them on sound practices for eradication of mold and use of mold resistant materials and construction techniques.

## **9.8 Removal of Barriers to Reconstruction**

Through the proposed Housing Assistance Centers the State will encourage expedited processing of assistance applications, permits for new construction, and constructions inspection. The staff of the Assistance Centers will provide feedback to the State on challenges they are encountering that interfere with the repair and production of housing. Based on the challenges identified, the State will work with local governments to expedite investments.

## **APPENDICES**



# APPENDIX 1

## ACTION PLAN FEEDBACK FORMAT

First Name:

Last Name:

Organization:

Mailing Address:

Street 1

Street 2

City

State

Zip code

Phone Number:

E-mail Address:

May we contact you if we have questions about your comments? Yes No

Affiliation: Check any of the following that apply. Are you a:

Evacuee\_\_\_\_

Homeowner whose property was damaged \_\_\_\_

Rental Property owner whose property was damaged \_\_\_\_

Local government official \_\_\_\_

Real estate industry professional \_\_\_\_

Other \_\_\_\_\_

### Comments on Owner Occupied Programs:

1. Eligibility of Homeowners to receive assistance
2. Requirements for receiving homeowner assistance
3. Financial benefits for homeowners to repair and rebuild
4. Financial benefits for homeowners who resettle
5. Financial benefits for homeowners who elect to sell their homes and move away
6. Homeowners assistance centers and program administration
7. Please provide any additional comments that you have on the owner occupant program

### Comments on Rental Housing Programs

8. Low-Income Housing "Piggyback" rental program
9. Small scale rental repair program

### Comments on Homeless and Supportive Service Program

10. Supportive services housing program

11. Homeless shelter repair program

Comments on Other Developer Incentives

12. Housing Development Loan Fund

13. Land assembly initiative

14. Flexible Subsidies – Mixed Income

Other

15. Please provide your comments on other aspects of the Action Plan amendment of concern to you

## APPENDIX 2

### SAMPLE BENEFIT CALCULATIONS

#### CASE 1 –Repairing, Rebuild or Relocate in Louisiana

##### Assumptions

Homeowner information	
Pre-storm value	\$110,000
Loss to home	30%
Eligible Mitigation costs	\$35,000
Additional repair costs	\$15,000
Other Compensation	
Insurance payment	\$0
FEMA repair assistance	\$5,200

ELIGIBLE ASSISTANCE: Lesser of ...			
Program Ceiling: \$150,000	or	\$110,000	Pre-storm Value
		x 30%	Loss percentage
		\$33,000	Damage Loss
		+ \$35,000	Mitigation Costs
		+ \$15,000	Allowed repair cost gap
		- \$5,200	FEMA
		- \$0	Insurance payment
		<u>\$77,800</u>	

Incentive Grant: Lesser of ...			
ELIGIBLE ASSISTANCE: \$77,800	or	\$110,000	Pre-Storm Value
		x 30%	Loss percentage
		= \$33,000	Damage Loss
		- \$5,200	FEMA
		- \$0	Insurance payment
		<u>\$27,800</u>	
		=	

Mitigation Grant: Lesser of ...			
Mitigation		Balance of Assistance	
Costs:		\$77,800	Eligible Assistance
<u>\$35,000</u>	or	- \$27,800	Incentive Grant
		<u>\$50,000</u>	Remaining Eligible Grant

Incentive Loan: When Eligible Assistance exceeds Incentive and Mitigation Grants			
		\$77,800	Eligible Assistance
		- \$27,800	Incentive Grant
		- \$35,000	Mitigation Grant
		<u>\$15,000</u>	Affordable Incentive Loan
		=	

CASE 2 – Repair, Rebuild or Relocate in Louisiana

Assumptions

Homeowner information	
Pre-storm value	\$250,000
Loss to home	70%
Eligible Mitigation costs	\$40,000
Additional rebuilding costs	\$0
Other Compensation	
Insurance payment	\$150,000
FEMA repair assistance	\$5,200

ELIGIBLE ASSISTANCE: Lesser of ...		
Program Ceiling: \$150,000	or	\$250,000 Pre-storm Value
		x 70% Loss percentage
		\$175,000 Damage Loss
		+ \$40,000 Mitigation Costs
		+ \$0 Rebuilding cost gap
		- \$5,200 FEMA
		- \$150,000 Insurance payment
		<b>\$59,800</b>

Incentive Grant: Lesser of ...		
ELIGIBLE ASSISTANCE: \$59,800	or	\$250,000 Pre-Storm Value
		x 70% Loss percentage
		= \$175,000 Damage Loss
		- \$5,200 FEMA
		- \$150,000 Insurance payment
		= <b>\$19,800</b>

Mitigation Grant: Lesser of ...		
Mitigation Costs:	or	Balance of Assistance
<b>\$40,000</b>		\$59,800 Eligible Assistance
		- \$19,800 Incentive Grant
		<b>\$40,000</b> Remaining Eligible Grant

Incentive Loan: When Eligible Assistance exceeds Incentive and Mitigation Grants		
		\$59,800 Eligible Assistance
		- \$19,800 Incentive Grant
		- \$40,000 Mitigation Grant
		<b>\$0</b> Affordable Incentive Loan

## APPENDIX 3

### ELIGIBLE ACTIVITIES AND NATIONAL OBJECTIVES

The funds used to support activities in this Action Plan are CDBG eligible activities and will meet one of the three CDBG National Objectives. The Eligible Activities and National Objectives are:

<b>Eligible Activities</b>	<b>Regulatory Citation</b>	<b>Statute 42USC5305</b>
Acquisition	570.201(a)	Section 105(a) (1)
Homeowner compensation and incentives	Pending waiver	Pending waiver
New construction	Pending waiver	Pending waiver
Housing Advisory services to property owners	570.201(k)	Section 105(20)
Rehabilitation	570.202	Section 104(d)
Reconstruction		P.L. 104-234 amendments to Section 105(a)(4) of 42USC5305
Code enforcement	570.202(c)	Section 105(a) (3)
Planning, Administration, and Technical Assistance	570.205 and 570.206 and 570.201(p)	Section 105(12), 105(13), 105(19)
<b>National Objectives</b>		
Activities benefiting L/M persons	570.483 (b)	
Activities which aid in the prevention or elimination of blight	570.483 (c)	
Activities that meet particular urgency	570.483 (d)	